

**THE SCHOOL ADMINISTRATOR
and Uniform Compliance Guidelines
ISSUED BY THE STATE BOARD OF ACCOUNTS**

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NEW LAWS AFFECTING SCHOOL CORPORATIONS

SCHOOL BILLS PUBLIC LAW 10 - HOUSE ENROLLED ACT 74 - EFFECTIVE JULY 1, 1995 EARLY RETIREMENT IC 2-3.5-4-4.1. Also amends various sections of IC 5-10-5.5 to provide for early retirement provisions for various eligible individuals in the Public Employees Retirement Fund.

PUBLIC LAW 12 - SENATE ENROLLED ACT 10 - NATIONAL VOTER'S REGISTRATION ACT EFFECTIVE - VARIOUS DATES. Adds IC 3-7-24 to provide distribution sites for mailing registration forms to include each school corporation with a public secondary school.

PUBLIC LAW - 22 - SENATE ENROLLED ACT 300 - EFFECTIVE JULY 1, 1995 CONFLICT OF INTEREST Amends IC 35-44-1-3 to add item 7 concerning public servants under the jurisdiction of the State Ethics Commission as provided in IC 4-2-6-2.5.

PUBLIC LAW 24 - SENATE ENROLLED ACT 594 - EFFECTIVE MAY 1, 1995 AND JULY 1, 1995 INDUSTRIAL DEVELOPMENT AND EDUCATIONAL FACILITY PROJECTS Amends and adds to various sections of IC 44 and IC 36 concerning the State's Industrial Development Programs.

PUBLIC LAW 25 - SENATE ENROLLED ACT 1598 - EFFECTIVE VARIOUS DATES TRANSPORTATION FUND, SCHOOL PROPERTY TAX CONTROLS, PREVAILING WAGES

Adds IC 4-13.4-7.1 to provide a statewide price contract for certain school corporation purchases. Provides that before January 1st of a school year each school corporation may report to the Department of Administration information concerning (1) anticipated requirements for purchases of particular major equipment items following the school year. (2) Special requirements or specifications. (3) Cost of major equipment items for cash or under security agreements. (4) Other information that might be requested by the Department of Administration. The Department may require a school corporation that requests to use a price contract to agree to purchase major equipment items using the price contract as indicated in the school corporation's request.

Fund number 41 has been designated Transportation - Operating and fund number 42 has been designated Transportation - Bus Replacement.

Prevailing Wage

Amends IC 5-16-7-1 EFFECTIVE JULY 1, 1995 Concerning contracts awarded by political subdivisions shall pay for each class of work on the project a scale of wages that may not be less than the average construction wage being paid in the county as determined using the most recent data from the Department of Workforce Development available on the date of the determination under IC 5-16-7-1 (b). Item (b) provides for the average construction wage in the county to be set by a committee of five persons. The two additional individuals added are, (1) is a taxpayer who pays the tax that will be the funding source for the project and resides in the county where the project is located. The owner of the project shall make the appointment. The other individual is (1) taxpayer who pays the tax that will be the funding source for the project and resides in

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the county where the project is located. The legislative body as defined in IC 36-1-2-9 for the county where the project is located shall make this appointment. Also provides IC 5-14-1.5 (Open Door Law) applies to meeting of the committee. Also provides the chapter only applies to projects owned entirely by political subdivisions as defined in IC 36-1-2-13. Current or prospective lease, rental, or purchase agreements shall not be used to determine the applicability of the chapter. The chapter does not apply to projects in which the actual construction costs less than one hundred fifty thousand dollars (\$150,000). Amends IC 5-16-7-4 to define average construction wage.

Amends IC 5-16-10-1 to provide a unit of local government does not include a school corporation or lessor corporation qualifying under IC 21-5-11 or IC 21-5-12.

Makes various changes to IC 6-1.1 concerning assessing.

School Property Tax Control Board and Tax Controls

Amends IC 6-1.1-19-4.1 effective May 1, 1995 to provide that the School Property Tax Control Board may include not more than four (4) additional voting members. One (1) appointed by the president pro tempore of the Senate and must be a business official of a school corporation not employed by a school corporation undergoing a construction project. (2) One (1) member appointed by the president pro tempore of the Senate and must be an engineer knowledgeable in the construction of school buildings but who is not actively employed by an engineering firm involved in a school building construction project or who is not otherwise a party to a contract for engineering services for a school building construction project. (3) One (1) member appointed by the Speaker of the House of Representatives and must be an architect knowledgeable in the design of school buildings but who is not actively employed by an architectural firm that is involved in a school building construction project or who is not otherwise a party to a contract for architectural services for a school building construction project. (4) One (1) member appointed by the Speaker of the House of Representatives and must be a financial adviser who is not actively employed as a financial adviser to a school corporation involved in school building construction project or who is not otherwise a party to a contract for financial advisory services for a school building construction project.

Adds IC 6-1.1-19-4.2 which provides that the Tax Board and School Control Board when reviewing school building construction projects requests must now consider: (1) The current and proposed square footage of school building space per student. (2) Enrollment patterns within the school corporation. (3) The age and condition of the current school facilities. (4) The cost per square foot of the school building construction project. (5) The effect of the completion of the school building construction project would have on the school corporation's tax rate. (6) Any other pertinent matter.

Adds IC 6-1.1-19-4.3 concerning school building projects not having financing through the issuance of bonds if the bonds mature more than twenty-five (25) years after the date of the bonds issuance.

Adds IC 6-1.1-19-5.4 EFFECTIVE JULY 1, 1995 A school corporation may appeal to the Tax Board to increase the maximum operating costs levy for the operating cost account of the transportation fund under IC 21-2-11.5. The school corporation must establish that the increase is necessary because of a transportation operating cost increase of at least ten percent (10%) over the

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preceding year as a result of at least one (1) of the following: (1) Fuel expense increase. (2) Significant increase in the number of students enrolled needing transportation or a significant increase in mileage traveled by the school corporation school buses compared to the previous year. (3) Significant increase in number of students enrolled in Special Ed needing transportation or a significant increase in mileage traveled by school corporation's buses due to students in Special Ed compared to the previous year. (4) Increased transportation operating cost due to compliance with a court order desegregation plan.

Amends IC 6-1.1-19-8 to provide the State Tax Board may modify then approve a school corporation proposed lease rental agreement. Also provides that after December 1, 1995, the Tax Board may not approve school corporations proposed lease rental agreements or bond issues for additional classrooms unless the school corporation, first: (1) Establishes that additional classroom space is necessary; and (2) conducts a feasibility study, holds public hearings, and hears public testimony on using twelve (12) month school term rather than expanding classroom space.

Amends IC 6-1.1-20-1 to add to the definition of "bonds" as payable from property taxes for a controlled project, but does not include a lease; obligation; or funding, refunding or judgement funding bonds of political subdivisions.

Adds IC 6-1.1-20-1.1 to define controlled projects.

Adds IC 6-1.1-20 to provide various definitions.

Adds IC 6-1.1-20-3.1 regarding published notices concerning property taxes for debt service or lease rentals. After notice a petition requesting a remonstrance process may be filed by the lesser of (A) two hundred fifty (250) owners of real property within the political subdivision; or (B) (10 %) of the owners of real property within the political subdivision. Also provides various time guidelines for the petition process. If a sufficient petition requesting a petition remonstrance process is not filed by the owners of real property, the political subdivision may issue bonds or enter into a lease by following the provisions of the laws related to bonds to be issued or lease to be entered into.

IC 6-1.1-20-3.2 is added concerning sufficient petition processes and a political subdivision may not impose property taxes for debt service or enter into lease rentals without completing certain procedures.

Adds IC 6-1.1-20-3.3 concerning debt or lease rentals without pledging to impose property taxes.

Adds IC 6-1.1-20-5 to provide a required notice must be published in three (3) public places in the political subdivision and published in accordance with IC 5-3-1-4.

Adds IC 6-1.1-30-14.5 to provide the Tax Board shall adopt rules under IC 4-22-2 to limit the basis of payment for services by all professionals, included but not limited to attorneys, architects and construction managers, who work on capital projects, to a fee for service agreement and may not adopt a rule authorizing the basis of payment for the services to be percentage of the cost

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of the capital project.

Amends IC 6-3.5-1.1-14 to provide school corporations shall treat property tax replacement credits as part of the property tax levy for the general fund, debt service fund, capital projects fund, transportation fund, and special education preschool fund in proportion to the levy for each of the funds for that same calendar year for purposes of fixing the budget and for property tax levy limits under IC 6-1.1-19. Property tax income credits shall be allocated to all five (5) funds in proportion to levy for each fund.

Amends IC-8-22-3.5-6 EFFECTIVE - JULY 1, 1995 to require taxing units with the authority to levy property taxes to receive certain notices of airport development zones.

Amend IC 20-1-1-6 and adds IC 2-1-1-6.4 EFFECTIVE - JULY 1, 1995 concerning guidelines on school sites and construction.

Amends IC 20-5-32-5 - EFFECTIVE - JULY 1, 1995 to eliminate the requirement of submission to school planning division on plans and specifications for prior approval.

Transportation Fund

Amends IC 20-9.1.-2-6 EFFECTIVE JULY 1, 1995 to eliminate the provision "no transportation fleet contract shall be let for a term longer than four (4) years."

Amends IC 21-2-11.5-2 - EFFECTIVE JULY 1, 1995 to establish within the school transportation fund (1) an operating costs account from which the cost of transportation listed in IC 21-2-11.5-2 (b)(1) through (b)(7) shall be paid. (2) a school bus replacement account from which the costs attributable to transportation listed in subsection (b)(8) shall be paid.

IC 21-2-11.5-2 (b) is amended to include other expenses of operating the school corporation's transportation service including gasoline, lubricants, tires, repairs, contracted repairs, parts, supplies, equipment, and other related expenses. Item (8), is amended to provide amounts paid for the replacement of school buses, either through a purchase agreement or under a lease agreement.

Adds item (c) to provide beginning January 1, 1996, portions, percentages, or parts of salaries of teaching personnel or principals are not attributable to transportation. However, parts of salaries of instructional aides who are assigned to assist with the school transportation program are attributable to transportation. The cost described in this subsection (other than instruction aid costs) may not be budgeted for payment or paid from the transportation fund.

IC 21-2-11.5-3 provides that the transportation fund operating costs account after July 1, 1995 will have a levy sufficient to pay all operating costs that are listed IC 21-2-11.5-2(b)(1) through IC 21-2-11.5-2(b)(7). Also provides a formula for calculation of the operating cost levy for taxes which are payable in 1996. Also provides for a school corporation levy in the transportation fund's school bus replacement account.

Adds IC 21-2-11.5-3.1 EFFECTIVE - JULY 1, 1995 to provide for a 10 year plan on a school transportation fund's school bus replacement account. Also amends IC 21-2-15-6 to provide an objection process for taxpayers with a school

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corporation plan.

Capital Projects Fund

Amends IC 21-2-15-4 to provide that a capital projects fund (CPF) may be used to pay for the services of school employees that are brick layers, stone masons, cement masons, tile setters, glaziers, insulation workers, asbestos removers, painters, paperhangers, drywall applicators and tapers, plasterers, pipe fitters, roofers, structural and steel workers, metal building assemblers, heating and air conditioning installers, welders, carpenters, electricians, or plumbers as these occupations are defined in the U.S. Department of Labor, Employment and Training Administration, Dictionary of Occupational Titles, Fourth Edition, Revised 1991 if certain conditions are met.

Also amends IC 21-2-15-11 effective January 1, 1996 to provide for a changed maximum tax rate (computed and provided by the tax board) allowed for the CPF to be adjusted each time of a general reassessment.

Also amends IC 21-5-11-4 effective July 1, 1995 to provide the State Board of Education is not authorized to approve or disapprove plans and specifications or any reason other than to comply with applicable minimum health and safety standards. The Indiana State Board of Education may develop nonbinding guidelines with regard to school building construction, including guidelines on minimum acreage, cost per square foot, and per student square footage.

Amends IC 36-1-9-13, effective July 1, 1995 to add IC 4-13.4-7.1.

Repeals IC 4-30-17-17.5; IC 6-1.1-20-3; IC 6-1.1-20-4; IC 6-6-5-5.1; IC 36-1-10-20; IC 36-1-10-20.1; and IC 6-6-5-5.1.

Also adds section 96 to provide if a school corporation has conducted the hearing described in IC 20-5-52 before the effective date, the school corporation may issue bonds or execute a lease for the school building construction project that was the subject of the hearing in accordance with requirements for issuing bonds or executing leases that were in effect before July 1, 1995.

PUBLIC LAW 26 - SENATE ENROLLED ACT 604 - MAY 3, 1995 REUSE OF FEDERAL MILITARY

BASES Adds IC 36-7-30 which applies to all units in which all or part of the military base is located and provides for potential reuse of the military bases. Also provides for a "Pilots" for payments in lieu of taxes.

PUBLIC LAW 27 - SENATE ENROLLED ACT 66 - EFFECTIVE JULY 1, 1995 BOND BANK Adds IC 4-23-21-8.4 concerning base or subsidized interest rates.

Amends IC 5-1-14-14 concerning local governmental entities borrowing.

PUBLIC LAW 31 - HOUSE ENROLLED ACT 1512 - EFFECTIVE JULY 1, 1996 UNCLAIMED PROPERTY

Adds IC 32-9-1.5 on procedures for unclaimed property,

PUBLIC LAW 35 - HOUSE ENROLLED ACT 1221 - EFFECTIVE JULY 1, 1995 PRICE PREFERENCES

Amends IC 5-17-6-12.1 to provide a preference under rules adopted under IC 4-13.6-6-2.5

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PUBLIC LAW 39 - HOUSE ENROLLED ACT 1070 - APRIL 27, 1995 TRANSFER OF PROPERTY Adds IC 4-20.5-7-7.1 to provide that if a state agency does not accept or reject property within 30 days, political subdivisions within which the property is located may be notified of the availability of the property. Also amends IC

4-25.5-7-10 to provide the state shall give preference to political subdivision requests for the property.

PUBLIC LAW 40 - HOUSE ENROLLED ACT 1071 - EFFECTIVE JULY 1, 1995 PUBLIC FINANCE STUDY COMMISSION Adds IC 5-13-9.1 to establish the Commission to review and evaluate relevant public investment statutes.

Also adds IC 8-4.5 concerning transportation corridors and recreation trails programs.

PUBLIC LAW 48 - SENATE ENROLLED ACT 115 - EFFECTIVE JULY 1, 1995 INDIANA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS Adds IC 4-23-24 to establish the Indiana Advisory Commission on Inter- governmental Relations to enhance cooperation between state and local governments.

PUBLIC LAW 51 - HOUSE ENROLLED ACT 1285 - EFFECTIVE VARIOUS DATES CHARITY Gaming Amends IC 4-32 concerning Sate Revenue Department requirements.

PUBLIC LAW 61 - SENATE ENROLLED ACT 631 - EFFECTIVE JULY 1, 1995 INDIANA SAFE SCHOOLS FUND Adds IC 5-2-10.1 to create the fund to promote school safety. School corporations may receive grants for these programs.

PUBLIC LAW 64 - SENATE ENROLLED ACT 441 - EFFECTIVE JANUARY 1, 1996 LEGAL ADVERTISING Adds IC 5-3-1-0.4 to provide new definitions of "Newspapers."

Also adds IC 5-3-1-.06 to define qualified newspapers.

Adds IC 5-3-1-0.7 to define qualified publications.

Amends IC 5-3-1-1 to provided that the cost of public advertising for govern- mental units after December 31, 1995 and before December 31, 2005, a newspaper or qualified publication may, effective January 1 of any year, increase the basic charges by five percent (5%) more than basic charges that were in effect the previous year. However, the basic charges for the first insertion of a public notice in a newspaper or qualified publication may not exceed the lowest classified advertising rate charged to advertisers by the newspaper or qualified publications for comparable use of the same amount of space used for other purposes. Also provides the public notice advertisements may be submitted by governmental agencies in electronic form if the newspaper or qualified publication is equipped to accept information in compatible electronic form. Also changes definitions of circulation requirements of newspapers or qualified publications.

Amends IC 5-3-1-4 to provide that a school corporation shall designate newspapers or qualified publications in which they shall publish notice at the first meeting in July each year. Eliminates political party provisions regarding newspapers.

Political subdivisions shall designate the newspapers or qualified publications to publish notices at the first meeting in January of each year.

If newspapers or qualifying publications become ineligible to publish notices,

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the political subdivision or school corporation shall designate a replacement at the next meeting.

Also provides that if no newspaper is published in the school corporation, publication shall be made in a newspaper published in the county and the publication must circulate within the school corporation.

Also provides publication requirements if a political subdivision has territory in more than one (1) county. Also adds a section authorizing a political subdivision may, in its discretion, publish public notices in a qualified publication to provide supplementary notification to the public.

PUBLIC LAW 65 - HOUSE ENROLLED ACT 1088 - EFFECTIVE MAY 8, 1995 PERF - DEFERRED CONTRIBUTIONS Amends IC 5-10-1.1-1 as amended by Public Law 66 item 3 to add section 457 of the Internal Revenue Code. Also amends IC 5-10.2-2-1 to provide "this article does not prohibit a political subdivision from establishing and providing before January 1, 1995, and continuing to provide after January 1, 1995, retirement, disability, and survivor benefits for the public employees of the political subdivision independent of this article if the political subdivision took action before January 1, 1995, and was not a participant in the public employees' retirement fund on January 1, 1995, under this article or IC 5-10.3."

PUBLIC LAW 66 - SENATE ENROLLED ACT 222 - EFFECTIVE MAY 3, 1995 PERF - DEFERRED COMPENSATION Amends IC 5-10-1.1-1 to add item 3 to allow an employer to contribute amounts before January 1, 1995, and continue or begin to contribute amounts after January 1, 1995, to a nonqualified deferred compensation plan on behalf of eligible employees subject to any limits and provisions under section 457 of the Internal Revenue Code.

Also amends IC 5-10.2-2-1(b) to provide the same language as noted in Public Laws 65.

PUBLIC LAW 71 - SENATE ENROLLED ACT 166 - EFFECTIVE JULY 1, 1995 CLAIMS
Amends IC 5-11-10-1 to remove school corporations.

Adds IC 5-11-10-1.6 providing school corporations may not draw a warrant or check for payment of a claim unless; (1) there is a fully itemized invoice or bill for the claim; (2) the invoice or bill is approved by the officer or person receiving the goods and services; (3) the invoice or bill is filed with the fiscal officer; (4) the fiscal officer audits and certifies before payment that the invoice or bill is true and correct; and (5) payment of the claim is allowed by the board having jurisdiction over the allowance of the payment or claim. The fiscal officer does not incur liability for disbursements processed in accordance with the new section; and for which funds are appropriated and available. **The certification required by IC 5-11-10-1.6 (c)(4) must be on a form as prescribed by the State Board of Accounts.** Claim is defined as a bill or invoice submitted for goods or services. (School Form 523 has been prescribed.)

Also amends IC 5-11-10-2 to provide certification of the claim by the fiscal officer.

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PUBLIC LAW 72 - SENATE ENROLLED ACT 245 - EFFECTIVE JULY 1, 1995 STATE BOARD OF ACCOUNTS MEETINGS, INVESTMENTS Amends IC 5-11-14-1 to define official as (1) elected official entitled to attend a conference under the section. (2) Individuals elected to an office entitled to attend a conference. (3) A deputy or assistant to an elected official entitled to attend.

Investments

Also amends IC 5-13-7-6 to require each local board of finance to review the reports submitted by IC 5-13-7-7.

IC 5-13-7-7 is added providing during the annual meeting required by IC 5-13-7 the investment officer shall make a written report to the investing officer's local board of finance summarizing the political subdivision's investments during the previous calendar year. The report must contain the name of each financial institution, government agency or instrumentality, or other person with whom the political subdivision invested money during the previous calendar year. The local board of finance shall do the following at the meeting: (1) review the report; and (2) review the overall investment policy of the political subdivision.

IC 5-13-9-2 was amended to provide (a) each officer designated may invest funds held by the officer in securities: (1) backed by the full faith and credit of the United States Treasury or fully guaranteed by the United States; and (2) issued by: (A) the United States Treasury; (B) a federal agency; or (C) a federal instrumentality. IC 5-12-9-2 is amended to provide investments may be made only in securities having a stated final maturity of two (2) years or less from the date of purchase.

Adds IC 5-13-9-9 to provide that an officer designated under IC 5-13-9-1 may not (1) purchase securities on margin (2) open a securities margin account for the investment of public funds.

PUBLIC LAW 73 - SENATE ENROLLED ACT 593 - EFFECTIVE MAY 10, 1995 AND JUNE 1 1995 BOND PROCEEDS Amends IC 5-13-4-20; IC 36-1-9-2; IC 36-1-12-1.2; IC 36-1- 14.3-4 concerning public fund definitions not including proceeds of bonds payable exclusively by a private entity.

PUBLIC LAW 74 - HOUSE ENROLLED ACT 1052 - EFFECTIVE MAY 5, 1995 PUBLIC DEPOSITORIES Amends IC 5-13-7-6 to provide at the annual meeting of the board of finance the membership shall elect a president; and secretary if IC 5-13-7-4(b) does not apply.

Revocation of Depositories

Also amends IC 5-13-8-1 to add item (d) A local board of finance may determine that a financial institution is ineligible to become a depository and receive public funds of the political subdivision if the financial institution:

(1) is unwilling or unable to perform the banking services reasonably required by the board of finance, considering the volume of the transactions, that are:

- (A) related to the public funds deposited in a deposit account described in IC 5-13-4-7(1); and
- (B) required by the political subdivision served by the board of finance to carry out the responsibilities of political subdivision, as determined by the board of finance,;

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(2) is unwilling or unable to comply with the state or federal statute, rule, or other regulation that governs the records or handling of public funds of the state or political subdivision served by the board of finance, as it is determined by the board of finance; or

(3) is found to be ineligible for any other causes adopted in the written rules of the board of finance and is directly related to the safe handling of public funds.

Also amends IC 5-13-8-7 concerning meetings called for the purpose of revoking a commission for which a depository shall be notified by advance written notice, first class or registered mail not less than twenty (20) days before the meeting in which the depository has the right to be heard. Contains a provision similar to IC 5-13-8-1 and adds causes for revocation of the commission of any depository.

Designation of Depositories

Also amends IC 5-13-8-9(f) to provide if only one financial institution which has a branch or a principal office in a political subdivision is willing to accept public funds, the board of finance for the political subdivision may (1) treat the financial institution as if the financial institution were not located within the political subdivision; and (2) designate one or more financial institutions to receive public funds under the requirements of IC 5-13-8-9(c).

Public Records

Also amends IC 5-15-6-3 concerning the destruction of public records to provide public records to include records that have been recorded, copied, or reproduced by photographic, photostatic, miniature photographic or optical imaging process that correctly, accurately, and permanently copies, reproduces, or forms a medium for copying or reproducing original records on film or other durable material. Original records may be disposed of in accordance with subsection E, if the record has been copied or reproduced as described and the copy must be treated as an original.

Original records may be disposed of only with the approval of commission according to the guidelines. However, the guidelines established by the commission must require original records may not be destroyed until the requirements of an audit have been satisfied.

PUBLIC LAW 75 - SENATE ENROLLED ACT 67 - EFFECTIVE APRIL 26, 1995 PUBLIC DEPOSITORIES

Amends IC 5-13-8-9 to provide if there is no principal office or branch of a financial institution that will accept public funds, the board of finance may designate one or more financial institutions with the principal office or branch outside of the political subdivision.

PUBLIC LAW 77 - HOUSE ENROLLED ACT 1331 - EFFECTIVE VARIOUS DATES PUBLIC RECORDS

ACCESS Amends IC 5-14-3-2 to provide inspection of public records includes the right in the case of electronically stored data, to manually transcribe and make notes, abstract or memoranda or to duplicate the data onto a disk, tape, drum, or any other medium of electronic storage.

Also adds IC 5-14-3-3(d) concerning public records in an electronic data storage and a reasonable effort by a public agency making copies.

Adds IC 5-14-3-3(e) providing for a political subdivision to enact rules concerning conditions related to use of information for commercial purposes.

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Add IC 5-14-3-3(f) concerning impairing the public's right to inspect and copy records.

Amends IC 5-14-3-3.5 pertaining to fees and access through a third parties computer gateway.

Adds IC 5-14-3-10(c) concerning immunity from liability for unintentionally and unknowingly disclosing confidential or erroneous information.

PUBLIC LAW 78 - HOUSE ENROLLED ACT 1582 - EFFECTIVE JULY 1, 1995 PUBLIC RECORDS

Amends IC 5-14-3-8 to provided the fiscal body as defined in IC 36-1-2-6 shall establish the fee schedule for copying. The fees must be uniform throughout the public agency and uniform to all purchasers. Also amends item (f) to provide with certain exceptions the public agency shall collect any certification, facsimile transmission fee specified by statute or ordered by the court.

PUBLIC LAW 79 - SENATE ENROLLED ACT 248 - EFFECTIVE JULY 1, 1995 PUBLIC RECORDS

Amends IC 5-15-1-1 to provide that any officer, office, department, or employee of the state may have or cause to have records, recorded, copied, or reproduced by any optical imaging process that correctly and accurately copies, reproduces, recreates, or forms a medium of copying or reproducing the original record, document, plat, paper, or instrument-in-writing.

PUBLIC LAW 80 - HOUSE ENROLLED ACT 1592 - EFFECTIVE JULY 1, 1995 PUBLIC RECORDS

Adds IC 5-15-5.1-6.5 which does not apply to printed documents in stock before July 1, 1995. Requires all forms, questionnaires, and other printed or electronic documents: (1) that are used by public agency to request information on the racial or ethnic identification of a respondent; and (2) that contain an enumeration of racial and ethnic classification from which the respondent must select a classification; must include among the choices the classification of multiracial which means having a biological parent who is of different race from the other biological parent.

PUBLIC LAW 81 - HOUSE ENROLLED ACT 1435 - JULY 1, 1995, CONSTRUCTION WAGES

Amends House Enrolled Act 1598 - 1995 concerning construction wages Item (c) to provide the committee is not required to consider information not presented to the committee at the meeting. Also amends IC 5-16-7-1 (j) to provide the chapter applies to projects leased with an option to purchase. Also amends IC 5-16-7-4 concerning the wages.

PUBLIC LAW 82 - HOUSE ENROLLED ACT 1398 - EFFECTIVE VARIOUS DATES PUBLIC WORKS, PUBLIC PURCHASES

Amends IC 5-16-7-5 effective May 10, 1995 to provide that IC 5-16-7 except as provided in IC 36-1-14.3, does not apply to person with an operating agreement with another political subdivision.

Also amends IC 36-1-9-1 to provide the chapter applies to purchases or leases of materials for which payments are made by the political subdivisions or agencies thereof. The chapter does not apply to a person with an agreement with a political subdivision under IC 36-1-14.3.

Amends IC 36-1-9-2 to define public funds as all funds (A) derived from the established revenue sources of a political subdivision or agency; and (B) deposited in a general or special fund of a political subdivision or agency.

Specifications defined as a description of physical characteristics or nature of materials and may include a description of a requirement for inspecting, testing

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or preparing materials for delivery. Also amends IC 36-1-9-3 - concerning access to the proposals shall be determined under IC 36-1-14.3-11.

Also amends IC 36-1-9-4 to provide a purchasing agency acting under the section must invite quotes from at least three persons.

Also amends IC 36-1-9-4.5 to provide the section applies whenever the (1) total price of each line or class of materials to be purchased annually; or (2) annual rental payment on a lease of materials is less than twenty-five thousand dollars (\$25,000). The purchasing agent may: (1) comply with provisions of IC 36-1-9-4; (2) purchase or lease the materials in the open market without inviting or receiving; or (3) adopt other reasonable procedures.

Disposal of Property

Amends IC 36-1-11-1 provides the chapter does not apply to the disposal of property to a person under an agreement between the person and political subdivision or agency thereof under IC 36-1-14.3.

Amends IC 36-1-1-2 to provide property means all personal property, fixtures, furnishings, inventory, and equipment; and real property to be included in a disposal.

Also amends IC 36-1-11-3 to provide the fiscal body of a unit must approve every sale of real property having an appraised value of fifty thousand dollars (\$50,000) or more and every lease of real property for which the annual rental payments will be more than twenty-five thousand dollars (\$25,000) or more.

Amends IC 36-1-11-12 concerning access to proposals under IC 36-1-14.3-11. Also provides the person submitting the successful proposal is not responsible for the requirements in IC 36-1-9 if the purchase of materials was included within the proposal or the materials are not paid for with public funds.

IC 36-1-11-17 is added as a new section providing if property disposed of is to be reconveyed or automatically returned to the political subdivision or agency of a political subdivision that disposed of the property, the terms of the reconveyance or return shall be agreed to before the disposal. If the terms of the reconveyance are not set forth before the disposal, the political subdivision shall obtain at least two (2) appraisals and pay not more than the average of the two (2) appraisals.

Public Works

IC 36-1-12-1.2 is amended to provide various definitions concerning public works.

IC 36-1-12-3 also is amended to provide that boards may perform public works with their work force (under certain conditions) whenever the cost of the public works projects is estimated to be less than one hundred thousand dollars (\$100,000).

IC 36-1-12-4 is amended to apply whenever the cost of a public works project will be at least twenty-five thousand (\$25,000).

IC 36-1-12-5 is amended to provide if the board rejects all quotes under IC 36-1-12-4, the board may negotiate and enter into agreements for the work in the open market without inviting or receiving quotes if the board establishes in writing the reasons for rejecting the quotes.

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IC 36-1-12-13.1 concerning payment bonds apply if the cost of the public work is estimated to be more than one hundred thousand dollars (\$100,000).

IC 36-1-14.3 is added to provide a "BOT agreement" may be entered into between a political subdivision and operator to construct, operate, and maintain a public facility and to transfer the public facility back to the political subdivision at an established future date. (Marion County)

Repeals IC 36-1-9-2.5; IC 36-1-12-1.4; IC 36-1-12-1.6; IC 36-1-12-2.2;
IC 36-1-12-2.4; IC 36-1-12-12.6.

PUBLIC LAW 85 - HOUSE ENROLLED ACT 1782 - EFFECTIVE JULY 1, 1995 TAX LEVIES Amends IC 6-1.1-17-16 to provide the state board of tax commissioners shall give the political subdivision written notification specifying any revision, reduction, or increase the State Tax Board proposes in the tax levy or tax rate. The political subdivision has one (1) week from the date of receiving the notice to provide a written response to the State Tax Board's Indianapolis office specifying how to make the required reductions in the amount budgeted. Amends and adds to IC 6-6-2.5 - special fuel taxes.

PUBLIC LAW 86 - HOUSE ENROLLED ACT 1121 - EFFECTIVE JULY 1, 1995 TAX LEVIES Also amends IC 6-1.1-5-4 concerning State Tax Board notification on budget appeals and provides that tax board shall make a final determination not more than twelve (12) months after the appeal request is denied.

PUBLIC LAW 92 - SENATE ENROLLED ACT 261 - EFFECTIVE JANUARY 1, 1996 MEDICAL CARE SAVINGS Adds IC 6-3-2-18 and IC 6-8-11 concerning medical care savings payments.

PUBLIC LAW 93 - SENATE ENROLLED ACT 576 - EFFECTIVE JANUARY 1, 1996 MEDICAL CARE SAVINGS Amends and adds to various sections of IC 12-15-12, IC 12-15-37, IC 12-15-38 and IC 27-8-8 concerning regulations pertaining to PL 92-1995.

PUBLIC LAW 159 - SENATE ENROLLED ACT 22 - EFFECTIVE MAY 5, 1995 ENTERTAINMENT EVENTS Amends IC 22-14-3-1 to add item (c) concerning schools that hold entertainment events being inspected by the Office of the State Fire Marshall or a Fire Department at least one (1) time each year.

PUBLIC LAW 173 - HOUSE ENROLLED ACT 1384 - EFFECTIVE JULY 1, 1995 FIRE PREVENTION Adds IC 13-7-20-43 to provide that a unit of local government may not enact or enforce procedures which are in conflict with IC 13-7-20 or rules provided by the fire prevention building and safety commission.

PUBLIC LAW 192 - HOUSE ENROLLED ACT 1202 - EFFECTIVE JULY 1, 1995 PUBLIC PURCHASES Amends IC 16-32-2-8 to provide any unit of local government may buy products and services without advertising or calling for bids under the same conditions as articles produced by the department of corrections under IC 11-10-6-4 for qualified nonprofit agencies.

PUBLIC LAW 196 - SENATE ENROLLED ACT 274 - EFFECTIVE JULY 1, 1995 FREEWAY SCHOOLS Adds IC 20-5-62 to provide for freeway school corporations and freeway school programs.

PUBLIC LAW 198 - HOUSE ENROLLED ACT 1578 - EFFECTIVE JULY 1, 1995 INSPECTIONS BY FIRE MARSHAL Amends IC 20-5-43-1 concerning a change in the requirement for fire marshal inspections of heating systems, etc.

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PUBLIC LAW 199 - SENATE ENROLLED ACT 5 - EFFECTIVE JULY 1, 1995 FAIR SHARE FEES

Amends IC 20-7.5-1-6 to provide that a school corporation employee may not be required to join or financially support through the payment of fair share fees, a school employee organization. Provides a rule, regulation, or contract requiring financial support from the school employee to a school employee organization is void.

PUBLIC LAW 201 - SENATE ENROLLED ACT 278 - EFFECTIVE April 26, 1995

SCHOOL BOARD APPOINTMENT Amends IC 20-8.1-6.5 concerning school board appointments of a transferee school corporation.

PUBLIC LAW 205 - SENATE ENROLLED ACT 323 - EFFECTIVE JULY 1, 1995 SCHOOL INTERVENTION AND CAREER COUNSELING DEVELOPMENT PROGRAM AND FUND Adds IC 20-10.1-28 to create the fund with certain grant restrictions.

PUBLIC LAW 208 - SENATE ENROLLED ACT 351 - EFFECTIVE MAY 10, 1995 ENERGY CONSERVATION MEASURES Amends IC 36-1-12.5-1 which defines an energy conservation measure means an alteration of a structure as defined in IC 36-1-10-2.

Also amends various sections of IC 36-1-12.5 to provide the chapter applies to political subdivisions.

PUBLIC LAW 209 - HOUSE ENROLLED ACT 1303 - EFFECTIVE JULY 1, 1995 DISPOSAL OF REAL PROPERTY Amends IC 20-12-11-2 to provide the board of trustees under the chapter may give or sell real estate by resolution to a political subdivision as defined by IC 36-1-2-13.

PUBLIC LAW 212 - SENATE ENROLLED ACT 214 - EFFECTIVE APRIL 24, 1995 CAPITAL PROJECTS FUNDS Amends IC 21-2-15-4 to provide the fund may be used to pay for energy savings contract under IC 36-1-12.5.

Amends IC 36-1-12.5-5 to provide an agreement to participate in a utility energy efficiency program or guaranteed energy savings contract under the section must now also provide payments are subject to annual appropriation by the governing body of the school corporation and do not constitute an indebtedness of the school corporation within the meaning of the constitutional or statutory debt limitation.

IC 36-1-12.5-5.5 is added to provide IC 6-1.1-20 does not apply to an agreement to participate in a utility energy efficiency program or guaranteed energy savings contract under the chapter.

IC 36-1-12.5-7 is also amended to provide payments under installment contract are subject to annual appropriation and do not constitute an indebtedness of the school corporation within the meaning of the constitutional or statutory debt limitation.

PUBLIC LAW 215 - SENATE ENROLLED ACT 233 - EFFECTIVE JULY 1, 1995 OVERPAID

EMPLOYEES Amends IC 22-2-6-4 to provide if an employer has overpaid an employee, the employer may deduct from the wages the amount of the overpayment. An employer must give an employee two (2) weeks notice before the employer may deduct any overpayment of wages from the employees wages. Employer may not deduct amounts in disputes under IC 22-2-9-3. The amount of the deduction is limited to the maximum part of the aggregate disposable earnings of an employee for any work week and may not exceed the lesser of; (A) twenty-five percent (25%) of the employee's disposable earnings for that the week; or (B) the amount

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by which the employee's disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage prescribed by 29 USC 206(a)(1) in effect for the time the earnings are payable. For earnings for a pay period other than a week, the earnings must be computed upon the multiple of the federal minimum hourly wage equivalent to thirty (30) times the federal minimum hourly wage as prescribed in the section.

If a single gross wage overpayment is equal to ten (10) times the employee's gross wages earned do to an inadvertent misplacement of a decimal place, the entire overpayment may be deducted immediately.

PUBLIC LAW 218 - SENATE ENROLLED ACT 85 - EFFECTIVE JULY 1, 1995 EMPLOYEE - LIABILITY

Amends IC 22-5-3-1 concerning employer disclosure of information about former employees.

PUBLIC LAW 246 - HOUSE ENROLLED ACT 1386 - EFFECTIVE JULY 1, 1995 PUBLIC WORKS

Amends IC 25-31-1-19 concerning engineers and air quality permits.

PUBLIC LAW 248 - SENATE ENROLLED ACT 336 - EFFECTIVE JULY 1, 1995 BAD CHECKS

Adds IC 26-1-3.1-502.5 which provides that a person receiving a check, a draft, order or like instrument which is dishonored, may for any reason charge and collect from the maker or drawer an amount not to exceed twenty dollars (\$20) plus the amount equal to the actual charge by the depository institution for each returned or dishonored instrument.

PUBLIC LAW 256 - SENATE ENROLLED ACT 370 - EFFECTIVE POLITICAL SUBDIVISION RISK

MANAGEMENT FUND POLITICAL SUBDIVISION CATASTROPHIC LIABILITY FUND Amends IC 27-1-29-14 and IC 27-1-29.1-18 concerning usage of money in the funds.

PUBLIC LAW 284 - HOUSE ENROLLED ACT 1416 - EFFECTIVE JULY 1, 1995 GOVERNMENTAL

EMPLOYEES JUDGMENTS Amends IC 34-4-16.5-5 concerning lawsuits against governmental employees.

PUBLIC LAW 288 - SENATE ENROLLED ACT 13 - EFFECTIVE TORT CLAIMS

Amends IC 34-4-16.5 to include in the definition of a public employee, for purposes of the Tort Claims Act, an attorney employed by a governmental entity. Tolls the statute of limitations concerning suits against public servants in certain circumstances.

PUBLIC LAW 309 - SENATE ENROLLED ACT 70 - EFFECTIVE JULY 1, 1995 PUBLIC PURCHASES

Amends IC 36-1-9-3 to provide for the acceptability of electronic bids by a political subdivision if the political subdivision (1) indicates in the notice issued under IC 36-1-9-3(d), the procedure for transmitting the electronic bid; and (2) receives the electron bid on a fax machine or system with a security feature that protects the content of an electronic bid to the same extent the content of a bid that is not transmitted by fax machine is protected.

Amends IC 36-1-9-6 for bids exceeding one hundred thousand dollars (\$100,000) a bond, certified check, or other evidence of financial responsibility as specified by the purchasing agent in notice of the bid letting shall be filed with each bid. If a bond or certified check is required as evidence of financial responsibility, the amount may not be set at more than ten percent (10%) of the contract.

Amends IC 36-1-9-13 to provide that the giving of notice or the receiving of

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bids is not required if there is only one (1) source for the materials or supplies and the following requirements are met:

(A) The purchasing agent; (i) makes a written statement on the agent's determination that there is one (1) source for the materials and supplies; and (ii) includes a copy of the purchasing agent's determination in the contract file.

(B) The proposed contract for the purchase of the materials or supplies has an expenditure value of more than fifty thousand dollars (\$50,000), the purchasing agent has submitted the contract and the purchasing agent's written determination that there is only one (1) source for the materials or supplies to the executive of the political subdivision, and the executive has approved the purchase in writing.

Also adds IC 36-1-9-16 to provide the executive of a political subdivision may make, or authorize others to make, special procurements under the following:

- (1) There exists, under emergency conditions a threat to public health, welfare, or safety.
- (2) There exists an unique opportunity to obtain supplies and services at a substantial savings to the political subdivision.
- (3) The market structure requires the purchasing agent or governing body of the political subdivision to inspect and bid on the supplies to be procured.
- (4) The compatibility of equipment, accessories, or replacement parts is a substantial consideration in the procurement and only one (1) source meets the political subdivision's necessary requirements.
- (5) Procurement of the required supplies or services under another section of the chapter would seriously impair the functioning of the political subdivision.
- (6) Political subdivision has solicited for a procurement under another section of the chapter and has not received a responsive offer.
- (7) Market structure is based on price but the political subdivision is able to receive a dollar or percentage discount on a established price.

Special Procurements

Special procurements must be made with such competition as is practicable under the circumstances.

Written determinations of the basis for the special procurement and the selection of a particular contractor must be included in the contract file. Contract records for special procurements must be maintained in a separate file by the purchasing agent and are subject to annual audit by the State Board of Accounts.

Also adds IC 36-1-9-17 to provide bidders or an offeror does not gain a property interest in the award of a contract by a political subdivision unless; (1) the

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bidder or offer or is awarded the contract; and (2) the contract is completely executed.

IC 36-1-9-18 is also added to provide a political subdivision may specify in a contract that early performance of a contract will result in increased compensation at either: (1) a percentage of the contract amount; or (2) a specified dollar amount; determined by the political subdivision. Political subdivisions may specify the completion of the contract after termination date of the contract would result in the deduction from the compensation at either (1) a percent of contract amount; or (2) a specified dollar amount determined by the political subdivision. Notice of these provisions must be included in the solicitation.

PUBLIC LAW 310 - HOUSE ENROLLED ACT 1463 AS AMENDED BY HOUSE ENROLLED ACT 1047 - EFFECTIVE JULY 1, 1995 DISPOSAL OF PROPERTY Amends IC 36-1-11-1 to provide the chapter does not apply to the disposal of real property without consideration to:

- (A) A governmental agency;
- (B) A nonprofit corporation that exists for the primary purpose of enhancing the environment.

PUBLIC LAW 312 - SENATE ENROLLED ACT 4 - EFFECTIVE JULY 1, 1995 ENGINEER FEES Amends IC 36-1-12-7 to increase to one hundred thousand dollars (\$100,000) the threshold for the requirement for an architect or engineer on public works projects.

PUBLIC LAW 313 - HOUSE ENROLLED ACT 1073 - EFFECTIVE APRIL 26, 1995 DONATIONS Adds IC 36-1-14 to provide a unit may donate proceeds from the sale of a facility or from a grant, a gift, an endowment, a bequest, or a trust to a foundation under certain conditions. A unit may use income received from a community foundation only for the purposes of the unit.

PUBLIC LAW 316 - HOUSE ENROLLED ACT 1703 - EFFECTIVE JULY 1, 1995 DRUG AWARENESS Adds IC 36-4-8-8.1 concerning township funds and drug awareness programs in schools.

PUBLIC LAW 332 - HOUSE ENROLLED ACT 1002 - EFFECTIVE MAY 10, 1995 CAP ON STATE SPENDING COMMITTEE Established the Committee to study economic issues regarding a cap on state spending.

PUBLIC LAW 340 - HOUSE ENROLLED ACT 1646 - EFFECTIVE VARIOUS DATES STATE BUDGET Makes various changes to IC 4, IC 5-3-1-3, IC 6-11, IC 8, IC 20, IC 22, and IC 31 to establish the State Budget for fiscal years 1995 - 1997 including various school programs including remediation. Changes distribution for property tax replacement. Establishes Local Budget Year Commission to consider changing the budget year to a fiscal year.

ACCOUNTS PAYABLE VOUCHER

_____ SCHOOL CORPORATION _____, Indiana

A invoice or bill to be properly itemized must show: kind of service, where performed, dates service rendered, by whom, rates per day, number of hours, rate per hour, number of units, price per unit, etc.

<p style="text-align: center;">Payee</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Purchase Order No. _____</p> <p>Terms _____</p> <p>Date Due _____</p>
---------------------------------------------------------------------------------	--------------------------------------------------------------------------

Invoice Date	Invoice Number	Description (or note attached invoice(s) or bill(s))	Amount
		Total	

I hereby certify that the attached invoice(s), or bill(s), is (are) true and correct and that the materials or services itemized thereon for which charge is made were ordered and received except _____

_____, 19____

_____	Signature	_____	Title
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I hereby certify that the attached invoice(s), or bill(s), is (are) true and correct and I have audited same in accordance with IC 5-11-10-1.6.

_____, 19____

_____ Treasurer

